

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE AMERICAN REALTY CAPITAL
PROPERTIES, INC. LITIGATION

Civil Action No.: 1:15-mc-00040-AKH

CLASS ACTION

This Document Relates To:
ALL ACTIONS

ORAL ARGUMENT REQUESTED

JET CAPITAL MASTER FUND, L.P., et al.,

Plaintiffs,

vs.

AMERICAN REALTY CAPITAL PROPERTIES,
INC., et al.,

Defendants.

Civil Action No. 1:15-cv-00307-AKH

**NOTICE OF DEFENDANTS' MOTION TO EXCLUDE OPINIONS OFFERED BY
PLAINTIFFS' PROFFERED EXPERT STEVEN P. FEINSTEIN**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and the Declaration of David Marcou with supporting exhibits, undersigned Defendants ("Defendants") in the above-captioned actions, by their undersigned attorneys, hereby move this Court before the Honorable Alvin K. Hellerstein, United States District Judge, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, for an Order pursuant to Federal Rules of Evidence 401, 402, 403, 702 and 703, and *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), to exclude the opinions offered by Plaintiffs' proffered expert Dr. Steven P. Feinstein on the topics of loss causation, damages, and market efficiency.

Dated: August 5, 2019
New York, New York

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